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ORACLE AMERICA, INC.

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.
25 Plaintiff,
26 v.
27 GOOGLE INC.
28 Defendant.

Case No. CV 10-03561 WHA
**DECL. OF ANDREW D. SILVERMAN
RE ADMIN. MOT. TO FILE UNDER
SEAL RE ORACLE'S RESPONSE TO
GOOGLE'S MOT. TO STRIKE
TESTIMONY OF JAMES R. KEARL**

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

SILVERMAN DECL. ISO ADMIN. MOT. TO FUS
RESPONSE RE GOOGLE MOT. TO STRIKE TESTIMONY
OF DR. JAMES R. KEARL
CV 10-03561 WHA

I, Andrew D. Silverman, declare and state as follows:

1. I am a member of the bars of the States of California, New York, and the District of Columbia, admitted to practice before this Court, and an associate with the law firm of Orrick, Herrington & Sutcliffe LLP (“Orrick”), attorneys of record for plaintiff Oracle America, Inc. (“Oracle”). I am familiar with the events, pleadings and discovery in this action and, if called upon as a witness, I could and would testify competently to the matters stated herein of my own personal knowledge.

2. I submit this declaration in support of Oracle’s Administrative Motion to File Under Seal Re Oracle’s Response to Google’s Motion to Strike Testimony of Dr. Kearl (“Response”).

3. Google has designated the following portions of Oracle’s Response as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL—ATTORNEYS EYES ONLY” pursuant to the Protective Order:

| Document | Text to be Sealed |
|--|---|
| Oracle’s Response to Google’s Motion to Strike Testimony of James R. Kearl | <ul style="list-style-type: none"> Page 1: the dollar amounts in lines 3-19, excluding the \$0 references Page 2: the dollar amounts in footnote 2 Page 3: the quotation in line 4 Page 3: the text within the parentheses in footnote 5 Page 4: lines 1-4, the text within the parentheses Page 4: the text between the word “admitted” and “Ex. 3” in footnote 6 Page 5: lines 10-11, the text between the word “as” on line 10 and “Prof.” on line 11 Page 5: the dollar amount in line 13 Page 5: lines 14-17, the text within the parentheses Page 5: the dollar amount in line 18 Page 5: the text within the last parentheses in footnote 7 |
| Exhibit 1 to Silverman Declaration | Entire document |
| Exhibit 2 to Silverman Declaration | Entire document |
| Exhibit 3 to Silverman Declaration | Entire document |

1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct.

3 Executed this 8th day of April, 2016, at New York, NY.

4 /s/ Andrew D. Silverman

5 Andrew D. Silverman
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